

**REMARKS**

**I. Formalities**

Applicant thanks the Examiner for acknowledging the claim for priority under 35 U.S.C. § 119, and receipt of the certified copy of the priority document submitted on March 1, 2004.

Applicant thanks the Examiner for considering the references cited with the Information Disclosure Statements filed on March 1, 2004 and December 30, 2004.

Applicant also thanks the Examiner for indicating that the Formal Drawings filed on March 1, 2004 are accepted.

**II. Status of the Application**

Claims 1-15 are all the claims pending in the Application, with claims 1 and 7 being in independent form. Claims 1-15 have been rejected.

The present Response addresses each point rejection raised by the Examiner. Favorable reconsideration is respectfully requested.

**III. Statement of Substance of Interview**

Please review and enter the following remarks summarizing the interview conducted on October 31, 2006:

A telephonic interview was conducted on October 31, 2006 between Examiner Sunray Chang of the U.S. Patent and Trademark Office and Applicant's representative, Andrew J. Taska.

The interview was initiated by Applicant's representative.

During the interview, Applicant's representative pointed out several errors in the 08/10/06 Office Action to Examiner Chang. Specifically, Applicant's representative noted that page 2 of the 08/10/06 Office Action states that “[r]eceipt is acknowledged of “Correspondence Address Change” papers submitted on July 10<sup>th</sup>, 2006, which paper is been placed of record in file.”

However, Applicant's representative pointed out to Examiner Chang that no Correspondence Address Change papers have been filed in the present application. In response, Examiner Chang agreed that that no Correspondence Address Change papers have been filed in the present application and that the aforementioned statement in the 08/10/06 Office Action is erroneous. Accordingly, Applicant respectfully requests that the Examiner correct this error.

Additionally, Applicant's representative noted that page 2 of the 08/10/06 Office Action states that “[r]eceipt is acknowledged of priority papers submitted on July 19<sup>th</sup>, 2004...”

However, Applicant's representative pointed out to Examiner Chang that the priority papers for the present application were submitted on March 1, 2004, and not on July 19<sup>th</sup>, 2004. In response, Examiner Chang agreed that the priority papers for the present application were submitted on March 1, 2004 and that the aforementioned statement in the 08/10/06 Office Action is erroneous. Accordingly, Applicant respectfully requests that the Examiner correct this error.

No exhibits or demonstrations were provided and no amendments were proposed by Applicants' representative.

It is respectfully submitted that the instant STATEMENT OF SUBSTANCE OF INTERVIEW complies with the requirements of 37 C.F.R. §§1.2 and 1.133 and MPEP §713.04.

**It is believed that no petition or fee is required.** However, if the USPTO deems otherwise, Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this case, and any required fee, except for the Issue Fee, for such extension is to be charged to Deposit Account No. 19-4880.

**IV. Claim Rejections under 35 U.S.C. § 102**

The Examiner has rejected claims 1, 2, 5-7, 9 and 14-15 under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. P.G. Publication No. 2004/0162027 to Ki-soo Chang (hereinafter “Chang”). Applicant respectfully traverses these rejections because Applicant’s invention patentably distinguishes over the cited Chang reference.

However, since the priority date of the present application (April 14, 2003) is earlier than the earliest U.S. filing date of the cited Chang reference (January 6, 2004), Chang can be antedated and removed from being prior art. Therefore, Applicant respectfully submits that the rejections of claims 1, 2, 5-7, 9 and 14-15 can be overcome for *at least* these reasons. Applicant submits herewith a verified translation of the priority document (German Patent Application No. 10317139.8) in order to perfect the claim for priority. Accordingly, Applicant respectfully requests that the rejection of claims 1, 2, 5-7, 9 and 14-15 under 35 U.S.C. § 102 be reconsidered and withdrawn.

**V. Claim Rejections under 35 U.S.C. § 103**

The Examiner has rejected claims 3 and 10-11 under 35 U.S.C. § 103(a) as being allegedly unpatentable over Chang, in view of U .S. P.G. Publication No. 2002/0147003 to Masahiro Tada *et al.* (hereinafter “Tada”). The Examiner has also rejected claims 4 and 12-13

under 35 U.S.C. § 103(a) as allegedly being unpatentable over Chang, in view of U.S. Patent No. 6,073,335 to Robert Bruce Ganton (hereinafter “Ganton”). Finally, the Examiner has rejected claim 8 under 35 U.S.C. § 103(a) as being allegedly unpatentable over Chang, in view of U.S. Patent No. 6,973,333 to Joseph Thomas O’Neil (hereinafter “O’Neil”). Applicant respectfully traverses all of these rejections because Applicant’s invention patentably distinguishes over the cited references.

However, since the priority date of the present application (April 14, 2003) is earlier than the earliest U.S. filing date of the cited Chang reference (January 6, 2004), Chang can be antedated and removed from being prior art. Therefore, Applicant respectfully submits that, since all of the rejections under 35 U.S.C. § 103 with respect to claims 3-4, 8, 10-11 and 12-13, are based on Chang, the rejections of all of these claims can be overcome for *at least* these reasons.

As explained above, Applicant submits herewith a verified translation of the priority document (German Patent Application No. 10317139.8) in order to perfect the claim for priority. Accordingly, Applicant respectfully requests that the rejection of claims 3-4, 8, 10-11 and 12-13 under 35 U.S.C. § 103 be reconsidered and withdrawn.

## **VI. Conclusion**

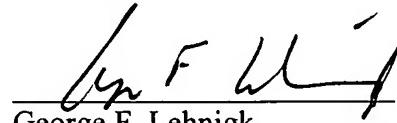
In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

**Response under 37 C.F.R. § 1.111  
U.S. Serial No. 10/788,473**

**Attorney Docket No.: Q79410**

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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CUSTOMER NUMBER

Date: November 9, 2006